

Congress of the United States
Washington, DC 20515

September 11, 2015

The Honorable Hal Rogers
Chairman, Committee on Appropriations
U.S. House of Representatives
H-305, The Capitol
Washington, D.C. 20515

The Honorable Nita Lowey
Ranking Member, Committee on Appropriations
U.S. House of Representatives
1016 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Rogers and Ranking Member Lowey:

As supporters of the Rohrabacher-Farr-Ribble-Lee-Massie-Blumenauer-Heck-Cohen-Young-Polis-McClintock-Titus amendment (henceforth, the “Rohrabacher-Farr amendment”) to H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2015, we respectfully request that you include the amendment’s language in any FY ’16 appropriations bill negotiated with your Senate counterparts.

The Rohrabacher-Farr amendment, which passed the House on June 6, 2015, by a commanding bipartisan vote of 242-186, was another clear statement from this body that the federal government should no longer prosecute individuals and entities that are acting in accordance with state medical marijuana laws, or interfere with states that are attempting to implement their own duly-enacted medical marijuana laws. Substantially similar language passed the House last year and was subsequently included in the Consolidated and Further Continuing Appropriations Act, 2015 (H.R. 83, 113th Congress), which was signed into law by President Obama on December 14, 2014.

As you likely know, 39 states, the District of Columbia, and Guam have enacted laws that, to varying degrees, allow for the medical use of marijuana, and more states—conservative and liberal alike—are expected to follow suit in the coming years. This wave of change at the state level is the result of changing public attitudes on the subject. Polls consistently show that the vast majority of Americans favor making medical marijuana legal and available to patients who need it, and even greater numbers disapprove of the federal government’s prosecution of individuals and entities who are acting in compliance with state law.

It is also worth noting that, following the passage of the Rohrabacher-Farr amendment in the House, Senator Barbara Mikulski, the Ranking Member of the Senate Committee on Appropriations, offered an identical amendment during Committee markup of the Senate’s FY ’16 CJS Appropriations bill. The amendment passed with an overwhelming bipartisan vote of 22-8.

We believe that the Rohrabacher-Farr amendment is a sensible and measured approach. Considering recent reports that the Department of Justice distributed false information to members of the House in an effort to defeat the amendment in 2014,¹ it is important to clearly state the effect of the

¹ See Washington Post article titled “How the Justice Department seems to have misled Congress on medical marijuana,” <http://www.washingtonpost.com/news/wonkblog/wp/2015/08/06/the-justice-department-says-it-misled-congress-on-medical-marijuana/>

amendment. The provision simply prohibits the Department of Justice, including the DEA, from continuing to prosecute individuals and entities that are acting in compliance with state medical marijuana laws. Indeed, federal law enforcement would still be able to prosecute those who fall outside of the aforementioned limitation.

The Department of Justice's antiquated position on this issue must change, and this language, supported by an overwhelming bipartisan majority of our country's representatives in the House, as well as a majority of the Senate Appropriations Committee members, is an important step toward that change. We appreciate your attention to this important matter and hope you will support our request.

Sincerely,

Dan Rostenkowski

Paul J. Rostenkowski

Thomas Massie

Sam Lauer

Barbara Jee

Earl Blumenauer

Jim Hahn

Ken Young

J.M. Chabot

Steve Cohen

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Anna Teta

Dutch Ruppersburg

Judy Chu

Mik Linn

Brian Agg.

Eliot C. Engel

Alan L. Hastings

Gvette D. Clarke

Alan Smith

Jan Schabensky

Charles

Alan Van Houten

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John Longstaffe

Carolyn B. Maloney

Louise Kopal-Allard

D'ana DeLette

Frank Johnson

Leis Capps

Jerald Radtke

John Vargas

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Kristen Simona

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James Hahn
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